

APPROVED: MEETING NO. 20-85

ATTEST: *Helen M. Heneghan*

MAYOR AND COUNCIL

ROCKVILLE, MARYLAND

MEETING NO. 11-85

March 4, 1985

The Mayor and Council of Rockville, Maryland, convened in Executive Session in the City Manager's Conference Room, Rockville City Hall, Maryland at Vinson Street, Rockville, Maryland, on Monday, March 4, 1985, at 7:10 p.m.

PRESENT

Mayor Viola D. Hovsepian

Councilman Steve Abrams
(arrived at 7:15 p.m.)

* Councilman Douglas Duncan

Councilman Peter R. Hartogensis

Councilman John Tyner, II

The Mayor in the Chair.

In attendance: City Manager Larry Blick; City Attorney Paul Glasgow;
Secretary II, Patricia Rager.

The Mayor and Council in executive session to confer with legal counsel.

Re: Adjournment

There being no further business to come before the Council in executive session, the meeting was adjourned at 7:50 p.m. to convene again at 8:00 p.m. the same evening.

Re: General Session

The Mayor and Council of Rockville, Maryland, convened in general session in the Council Chamber, Rockville City Hall, Maryland at Vinson Street, Rockville, Maryland, on Monday, March 4, 1985, at 8:00 p.m.

PRESENT

Mayor Viola D. Hovsepian

Councilman Steve Abrams

Councilman Douglas Duncan

Councilman Peter R. Hartogensis

Councilman John Tyner, II

The Mayor in the Chair.

In attendance: City Manager Larry Blick; City Attorney Paul Glasgow, and Secretary II, Patricia Rager.

Mayor Hovsepian announced that Agenda Item No. 6 will follow Agenda Item No. 2.

Re: Appointments

Mayor Hovsepian appointed the following. They were confirmed by the Council:

Retirement & Disability Board: James Cowen - 2 year term
121 Charles Street

Human Rights Commission: Lloyd Welter - 1 year term as Chairman

Re: Approval of funding
for stadium lights at
Wootton High School

The staff has outlined the basic terms of the agreement which should be drawn up between Wootton High School's Booster Club and the Mayor and Council for lighting the athletic field.

1. The total amount proposed for the cost of the lighting is \$65,000
2. The \$65,000 will be provided up front by the Mayor and Council, for construction of the lighting during spring 1985. Payment will be made to the Montgomery County Public Schools for the construction costs. The MCPS Office of Facility Services will provide and coordinate all the necessary engineering, design, bidding, and construction inspection for the project.
3. The Wootton High School Booster Club will sign an agreement to repay the City half the \$65,000 or half of the final construction costs if less than the original proposed amount.
4. The Booster Club shall pay the City \$5,000 immediately upon execution of the agreement.

5. The remaining loan shall be payable in three equal installments over a three-year period beginning July 1, 1986. The total loan will be interest free.
6. The loan may be repaid earlier than the proposed schedule if the Booster Club desires.

Councilman Abrams thanked Mayor Hovsepian for honoring his request to hold this item until he returned from Africa. He explained he has been awaiting a response from Mrs. Slye, a member of the School Board. He feels he has received a satisfactory response from the School Board and therefore has no problem in supporting this item.

On motion of Councilman Abrams, duly seconded and unanimously passed, the funding for the Wootton High School Athletic Field lighting was approved by the Mayor and Council, and staff was instructed to prepare the necessary legal documentation.

Members of the Wootton Booster Club, present in the audience, thanked the Mayor and Council for their support.

Re: Approval of Minutes

On motion of Councilman Duncan, duly seconded and unanimously passed, the Minutes of Meeting No. 5-85, February 4, 1985, were approved as corrected.

On motion of Councilman Duncan, duly seconded and passed by unanimous vote of all voting, Councilman Abrams abstaining, the Minutes of Meeting No. 6-85, February 11, 1985, were approved as written.

Re: Correspondence

The Mayor and Council noted the following items of correspondence:

1. Woodmont Country Club, re reopening & extension of the Planning Area 12 Record

Councilman Hartogensis asked that a letter be prepared gently refusing their request for an extension. He noted that it would be unfair to the other parties involved to further delay this item.

2. Councilwoman Crenca re County's User Fees Recommendations

Re: Information Items

1. Copy of Dr. Halpern's letter to Planning Director

Councilman Hartogensis said he hopes that a letter will be sent explaining that the sign ordinance has been changed. Mr. Blick said the staff is handling this.

2. Memo on Status of Community Development Fund

3. Lincoln Park Housing Plan

4. Letter from Victory Housing to CM re Mary's House

5. Thank you letter re United Way

6. Memo from CDHA re Housing Authority vacancy rate

7. Public Works Department Status Report

8. Memo from City Attorney re Davis v. Gavan and City of Rockville

9. Memo from City Clerk re partial refund on T-67-85

Councilman Duncan asked if this was normal policy of the Mayor and Council to refund half of the filing fee. The City Manager said it was. It was the consensus of the Council to refund half of the filing fee to Mr. Lynott, attorney for the applicant.

Re: New Business

1. Mayor Hovsepien said she would like, if the other members of the Council concur, to set up a work session with the Lincoln Park citizens to discuss many things. She noted several topics that could be discussed. Councilman Abrams said that is a good idea and suggested giving the citizens advance notice of the budget.

Re: Citizen's Forum

1. Carole Cohen, 1707 Farragut Avenue, President of TCA. Mrs. Cohen said she is happy to report that Vandergrift Avenue will become a one-way street. She thanked the City for its help. She noted that other residents in the neighborhood are or will be submitting requests for their streets to become one way. She suggested a study of one-way street patterns be conducted, something

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similar to what was done with the permit parking problem. It would be easier for the staff and the community to have some guidelines to follow.

There being no other citizen wishing to be heard, the Mayor closed the citizens forum portion of the Meeting.

Re: Adoption of
Ordinance: To repeal
Sections 8-6.01
through 8-6.04 of
Chapter 8 of the
"Laws of Rockville",
entitled "Energy
Commission"

Ordinance No. 6-85

On motion of Councilman Hartogensis, duly seconded and unanimously passed, Ordinance No. 6-85, the full text of which can be found in Ordinance Book No. 12 of the Mayor and Council, repealing Sections 8-6.01 through 8-6.04 of Chapter 8 of the "Laws of Rockville", entitled "Energy Commission", was adopted by the Mayor and Council.

Mayor Hovsepien presented Certificates of Appreciation to Howard Leviton and William Haberman, two of the members of the Energy Commission present in the audience tonight. She thanked them for their work on the Commission and asked that the remaining members of the Commission (Steven Albersheim, Nancy Hewitt, Jake Plante, Raymond Carroll and Al Herner) Certificates will be mailed.

Re: Resolution: To
create a Commission
on Science and
Technology

Resolution No. 7-85

On motion of Councilman Abrams, duly seconded and unanimously passed, Resolution No. 7-85, the full text of which can be found in Resolution Book No. 8 of the Mayor and Council, creating a commission on Science and Technology, was adopted by the Mayor and Council.

Re: Approval to proceed
with design of
improvements to F.
Scott Fitzgerald
Theatre

Assembly Places International, Philadelphia, Pennsylvania, has completed the Phase I feasibility study of "Development of Front of House Lighting Plan and Access Catwalk for the F. Scott Fitzgerald Theatre."

This Phase I catwalk report was the result of two months of meetings between theatre-user groups, City staff, and construction companies. During these meetings there was an unanimous choice of a fixed catwalk (Scheme C) over a raisable catwalk, or a traveling gondola to service the house lights. These discussions also developed two additional options and an additional scheme as being highly desirable. The are:

Option A: Side Lighting Access Platforms. On both sides of the theatre, directly below the fixed catwalk, there would be a small, integrally designed lighting and access platform. This would provide hidden access during performances to the fixed catwalk and side platforms from the stage, and additional lighting positions from the sides.

Option B: Rear Followspot and Control Platform. This proposal is to provide a platform the full width of the rear wall above the last three rows of seats. The primary function of this additional catwalk is to improve the followspot and additional lighting positioning.

Scheme D. New Ceiling. This scheme is suggested to address acoustic deficiencies, and related nuisance factors inherent in the heating and air conditioning system. This approach is a new more efficiently shaped ceiling with a new air distribution system. Scheme D incorporates the design elements of the fixed catwalk (Scheme C), the side platforms (Option A), and the rear followspot platform (Option B).

The original study of theatre improvements completed in 1981 by Cooper-Lecky of Washington, D.C. included four schemes of improvements. This 1981 report eventually resulted in the City's desire to proceed with Scheme II:

- Additional fly space
- improved access to storage
- extended wing space
- improve and enlarge dressing rooms
- add loading dock and access door to stage

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The following is a breakout of all improvement costs. This chart includes the A.P.I. estimates for Scheme C: Fixed Catwalk; Option A: Side Platforms; Option B: Rear Catwalk, and Scheme D: New Acoustic Ceiling. Included in this chart are price estimates for the 1981 Cooper-Lecky study's Scheme II improvement options (prices are for 1985 costs). Also included are cost estimated of H.V.A.C. system improvements.

Catwalks Project	Construction Time	Construction Cost	Phase II Design Cost	Total Project Costs
Scheme C				
Fixed Catwalk	10 weeks	61,500	4,920	66,420
Option A				
Side Platforms	17 weeks	43,050	3,444	46,494
Option B				
Rear Catwalk	12 weeks	49,200	3,936	53,136
Subtotal		153,750	12,300	166,050 + 15,000* 181,050

*Preliminary Study

Scheme D Project	Construction Time	Construction Cost	Phase II Design Cost	Total Project Costs
Acoustic Ceiling	10 weeks	177,120	14,170	191,290
Subtotal				191,290

Scheme II Less Catwalk	Construction Time	Construction Cost	Phase II Design Cost	Total Project Costs
Fly System	8 months	358,545	28,683	387,228
Wing Space & Dressing Rooms	4 weeks	130,380	10,430	140,810
Loading Dock	4 weeks	57,810	4,625	62,435
Subtotals		546,735	43,738	590,473

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H.V.A.C. Project	Construction Time	Construction Cost	Phase II Design Cost	Total Project Costs
H.V.A.C. Theatre	4 weeks	159,900	12,792	172,692
H.V.A.C. Social Hall	4 weeks	95,940	7,675	103,615
H.V.A.C. Subtotals		255,840	20,467	276,307
TOTAL				<u>\$1,239,120</u>

It is evident that proceeding with Scheme D: New Ceiling should be done concurrently with the HVAC improvements. In FY 85 the City has budgeted \$2,000 for a study of the Theatre/Social Hall HVAC system. Therefore, staff does not recommend proceeding with the design phase of Scheme D until the HVAC study is completed approximately May 1, 1985.

It is staff's recommendation to proceed with the design Phase II of Scheme C: Fixed Catwalk along with Option A: Side Platform and Option B: Rear catwalk. It is further recommended that design of any other components of improvements be based upon the probability of the state grant. If the state grant were to become a reality, then the time frame of an extensive construction period (8 months for the fly improvement alone) should provide ample time for design of other improvements. If the state grant is not forthcoming, then it is staff's recommendation that instead of Scheme D: New Ceiling, priority should be given to HVAC improvements first, followed by the loading dock, and wing and dressing room improvements.

Therefore, staff recommends to proceed with the design and specification Phase II of Scheme C: Fixed Catwalk, along with Option A: Side-Platforms and Option B: Rear Catwalk. Since Assembly Places International already has a clear understanding of the City's desire, they possess specific information on this project that is unavailable to any other company. Also, A.P.I.'s new price proposal of \$12,300 has been determined to be a fair and reasonable cost since

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Jean Rosenthal Associates, Inc., did have the original low proposal estimate of Phase II of \$18,000, but was disallowed on Phase I due to deficiencies in their technical proposal. Based on the above facts, staff recommends that A.P.I. be awarded Phase II. This sole source award procedure is consistent with Chapter 5, Section 2-303 of the Laws of Rockville.

Councilman Tyner noted that although the price is different, everything else is just about the same as in the original proposal. He is not sure how much is in the budget, but to him it looks as if this item is \$81,000 over budget. He told the Council that there is no chance of getting the Bill passed in Annapolis this year. It might be easier in an election year. He recommended keeping the funding in the Bill the same. He said he would like to move ahead with the staff's recommendation which means finding \$81,000. He noted that this will keep the theatre in the dark this summer.

Councilman Abrams asked if the state will count previously expended funds as being a hard match. He does not want to see the City's expenditure turn into no match. He said he would like to have some correspondence from the delegation on how they perceive the hard match and will they count what improvements the City will do this summer as such.

On motion of Councilman Tyner, duly seconded and unanimously passed, staff's recommendation for the design and specification improvements to the F. Scott Fitzgerald Theatre were approved by the Mayor and Council.

Re: Public Hearing: Text
Amendment Application, T-68-85, Mayor & Council of Rockville, Applicant, to lower the Floor Area Ratio of building to land in the C-2 Zone from the present 3.0 to 2.0

The Mayor and Council of Rockville, Maryland, conducted a public hearing on

Text Amendment Application, T-68-85, for lowering the floor Area Ratio of building to land in the C-2 Zone from the present 3.0 to 2.0, and heard those persons as will be found in the official stenographic transcript of the hearing. There being no other person wishing to be heard, the Mayor declared the hearing closed, with the record to be held open for one week.

Re: Public Hearing: City
Contribution to the
Rehabilitation of the
Lenmore Apartments

The Mayor and Council of Rockville, Maryland, conducted a public hearing on the City's contribution to the rehabilitation of the Lenmore Apartments, and heard those persons as will be found in the official stenographic transcript of the hearing. There being no other citizen wishing to be heard, the Mayor declared the hearing closed, with the record to be held open until Friday, March 8, at 5:00 p.m. in order to bring this subject back on the Council's agenda for next week.

(At this time the Council took a five minute recess)

Re: Discussion of
Schedule and Purpose
for Public Hearing on
School Issues in
Rockville

The following are three alternative suggestions for the requested Mayor and Council public hearing. There were developed by the chairman of the Advisory Commission on Public Education, Charles Haughey.

1. The relative equity of educational opportunity in different schools serving Rockville students (instructional benefits, pupil achievement, distribution of minority students.)
2. What are the components of a quality program to support education requirements for Rockville's future?
3. The effect of school boundaries on educational opportunities for Rockville students;

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- are people happy with the status quo (sending areas, clusters, no boundary changes)?
- will Rockville schools prosper without boundary changes?
- how can we resolve enrollment problems (overcrowding at Wootton, underutilization at Richard Montgomery)?

The thoughts and information collected at such a public hearing may help the Advisory Commission in formulating the new Chapter addition to the City Master Plan on education. This is an item of the Commission's work program which was previously requested by the Planning Commission.

If the Mayor and Council wish to have a public hearing, staff suggests May 2, May 9, May 16, June 13, or July 8.

Councilman Abrams said the third suggestion might be a good topic for a public hearing with modification. He suggested a forth bullet: "Can Rockville develop a consensus in support of non-traditional methods of utilizing excess capacity within City schools."

Councilman Hartogensis said he does not see why the Council does not take the other two or one or both. Councilman Duncan said a public hearing becomes too broad at times. He suggested limiting it to some kind of boundary. Councilman Abrams agreed. Councilman Hartogensis said number 1 is positive and number 3 is negative. He suggested the Council might get some positive ideas if they go with number 1. Councilman Abrams asked that there also be included: "if there is a resolve to apply resources in addition to what school board is now doing, is the City willing to commit resources." Councilman Duncan said the topic has been defined enough.

It was the consensus of the Council to go with number 3 as the topic for the Public Hearing regarding education issues and to include the two suggestions made by Councilman Abrams: "can Rockville develop a consensus in support of non-traditional methods of utilizing excess capacity within City schools; for example, the concept of a school within a school, a hi-technology offering; a

government law center", and "is there a willingness to commit City resources to aide the School Board to implement such a program?"

It was also the consensus of the Council to schedule the public hearing for Thursday May 2. The Council asked that information be sent to all PTA's with a note that this is a Thursday night not a Monday. Councilman Duncan asked that Mr. Tierney's report be sent out. Councilman Abrams asked staff to go back to the Task Force and get their feeling on this.

Re: Adoption of
Ordinance: To grant,
with modifications,
Text Amendment Appli-
cation, T-64-84,
Clinton, A.M.E. Zion
Church, Applicant, to
add a new subsection
so as to allow a
church or other place
of worship in a resi-
dential zone to pro-
vide parking on a
separate lot from the
facility served.

Ordinance No. 7-85

Councilman Hartogensis moved to amend the ordinance by adding the words "walking distance" where there is reference to 100 feet or 500 feet. Councilman Duncan seconded the motion.

Councilman Duncan said he had asked Mr. Davis to get information for him on "front entrances". Mr. Blick said Mr. Owens was called at home and he does not have the information.

Councilman Abrams asked if Mr. Brewer's question is answered by this memo and how many properties does this affect. Mr. Blick said every church. Councilman Abrams asked if it applies only to property next door. Mr. Blick said or 500 feet or across the street.

The City Attorney, Paul Glasgow, said he has a problem with the wording of "walking distance" He would like some specifics. If its the best that can be

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done, fine, but he would much prefer a measurement. Mayor Hovsepian said another suggestion was "from an entrance of a church."

Councilman Hartogensis withdrew his motion of adding the words "walking distance". The seconder, Councilman Duncan withdrew he second.

Councilman Duncan moved, duly seconded to add the words "Front Entrance".

The motion to amend the ordinance passed, with Councilman Abrams and Tyner voting nay and Mayor Hovsepian, Councilman Duncan and Councilman Hartogensis voting aye.

On motion of Councilman Duncan, duly seconded and passed, Ordinance No. 7-85, the full text of which can be found in Ordinance Book No. 12 of the Mayor and Council, granting Text Amendment Application T-64-85, Clinton A.M.E. Zion Church, Applicant, with modifications, was adopted by the Mayor and Council. Councilmen Abrams and Tyner voting nay and Mayor Hovsepian, Councilmembers Duncan and Hartogensis voting aye, was adopted by the Mayor and Council.

Re: Introduction of Ordinance:
To amend Chapter 15
entitled "Ethics Provi-
sions" of the Laws of
Rockville by repealing and
re-enacting with amend-
ments to be substantially
similar to the Maryland
Public Ethics Laws, to
provide further disclosure
requirements, increase the
scope and application of
conflicts of interest pro-
visions and to make
certain technical modifi-
cations

On motion of Councilman Abrams, there was introduced upon the table an ordinance amending Chapter 15 entitled "Ethics Provisions" of the Laws of Rockville, providing further disclosure requirements, increase the scope and application of conflicts of interest provisions and to make certain technical

modifications, said ordinance to lay over at least one week before final action is taken.

Re: Review of Annual
Update of Board of
Education 15-year
Comprehensive Plan
for Education
Facilities

At the end of January, the Superintendent of Schools published recommendations to the Board of Education to update the 15-year Comprehensive Master Plan for Educational Facilities. In accordance with the court settlement made with the Board of Education in 1982, the Board of Education is referring in this document to the City for comment if it so desires. Public hearings are scheduled for early March and the Board has requested that any comments be received by the end of February.

The Council was given, for their review, a draft copy of a letter to the School Board prepared by the staff for the Mayor's signature.

Councilman Abrams said he questions why item number 1, Administrative Areas, is being put in at this time. He felt it would be more appropriate to comment on this in the 15-year Comprehensive review coming up next year. Mayor Hovsepien said since so many more schools are being built up-County, the City would like to see Rockville all in one area. Councilman Hartogensis said that Rockville wants to be regarded as a whole. He doesn't know when the most appropriate time would be but would like it to be raised at the appropriate time. Mr. Hobbs, Assistant City Manager, said it is Rockville's intention to be treated as a whole and the City is looking for every opportunity to remind the School Board of this problem so as to make sure the City is heard. Councilman Abrams said he is still not sure that he wants to get into this at this date and time. There are already sensitive issues being raised at this time. Councilman Duncan

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said he would like to keep it in. Councilman Tyner said he is indifferent about this. The point has been raised before and it will be discussed anyway.

It was the consensus of the Council, with Councilman Abrams objecting, to keep the letter as it is written.

Re: Status report and
recommendations on
enforcement of Air
Quality Standards for
Holladay/Tyler
Printing Plant

In response to the request by the City Manager for information regarding progress on the elimination of the air pollution problems at the Holladay Tyler Printing Co., staff from License and Inspections attended a joint meeting of the Twinbrook Citizens Association and members of the staff of the state and county on December 9, 1984.

A committee was formed with representatives from the Twinbrook Citizens Association, city, county and state agencies and Holladay Tyler Printing Co. Subsequent meetings were held on January 24, 1985 and February 27, 1985, with Holladay Tyler representatives present at the latter.

At the December 9, 1984, meeting Twinbrook Citizens Association's concerns were presented with reference to the on-going air pollution problem and their frustrations that nothing was being done to correct the problem. The State representatives later made a presentation based on past history of the case and of a meeting held with Holladay Tyler earlier that day.

The newly formed committee held its first meeting on January 24, 1985. In attendance were representatives from Twinbrook Citizens Association, and city, county and state agencies. Eric Mendelsohn, the County's Environmental Protection Manager, chaired the meeting. It was decided that the committee would meet on a regular basis to discuss progress being made by Holladay Tyler, its acceptability, and any other issues related to the problem.

It was generally agreed that the basic issues are:

1. Reduction of visible emissions to the extent required by state law
2. Elimination of all odors permanently
3. A monitoring program with retrievable data to assure that the pollution control equipment is functioning properly when the presses are operating.

Twinbrook Citizens Association representatives state that the demands and expectations of the Association are:

1. Holladay Tyler be permitted to operate only the presses which are tied into air pollution control equipment which is functioning properly.
2. That grab samples of the pollutant be obtained and analyzed by a qualified laboratory.
3. That permanent data producing monitoring devices be installed on all associated equipment

The TCA also expressed a need for more qualified observations at night and on weekends.

The committee's second meeting was held February 26, 1985, at the Holladay Tyler plant. Eric Mendelsohn chaired the meeting. Discussion concerned Holladay Tyler's right to appeal the order issued by the State.

Holladay Tyler has begun implementing the recommendations of the Engineering Sciences. These include repairs and a maintenance schedule on the existing equipment, renovations, redesign, and fabrication of new components for the equipment, management training to assure the equipment is used properly, and some changes in materials that were being used.

The Engineering Science's study concluded that the existing equipment, with the recommended maintenance schedule, repairs and renovations, would bring the plant into compliance. Mr. Summers of the State was in general agreement with this.

Mr. Fleming agreed to provide a list of names and a phone number where Holladay Tyler personnel could be reached at all times if a spill occurs.

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It was agreed that the meeting provided much needed information and good lines of communication between all concerned parties.

The next meeting is scheduled for April 18, 1985 at 6:00 p.m. in the Executive Office Building.

Staff recommends that:

1. The City forward a letter, signed by the Mayor to George P. Ferreri, Director of the Air Management Division of the State Department of Mental Health and Hygiene, requesting copies of all violation notices and progress reports on the implementation of the plan of compliance.
2. The City consider a consulting firm to obtain grab samples of the pollutants and to do the appropriate analysis to determine their contents.
3. Forward a letter to Twinbrook Citizens Association with a phone number people can call at night and on weekends. The City Manager indicated it may be possible to dispatch a policeman at these times, strictly to document the time, location, and severity of the problem. Response to a maximum of two phone calls will be sufficient to determine if a problem exists. The number to be provided by Holladay Tyler can then be called to advise them they are spilling pollutants. The Licenses and Inspection number should be included for regular office hours in the event the county does not have an inspector available to dispatch at the time of the incident.

Mr. Groff, Superintendent of Licenses and Inspections, briefed the Council on the meetings he has attended. He said all press equipment is interlocked with pollution control equipment. He noted that Holladay Tyler has accelerated their cleaning and has designed other new things. There is headway being made and he hopes everyone will be satisfied. At the last meeting, everyone seemed to feel comfortable.

Councilman Tyner said he likes staff's recommendations. Number 1 is an important item. Councilman Tyner asked if there was any idea on the cost of number 2. Mr. Groff said the County gave him an estimate of \$30 to \$70 per hour. When he spoke to Mr. Albersheim of the City's Energy Commission, he quoted a price of \$30,000 to \$50,000.

Councilman Hartogensis asked if there was any way to use the newly formed Science and Technology Commission. Mr. Groff said at this time it would not help because engineers are needed to run the equipment.

Mayor Hovsepien said item Number 2 is too expensive.

Councilman Abrams asked if the City has a schedule of when the equipment is cleaned. Mr. Groff said staff has requested this and will get it in April. Councilman Abrams suggested the City might look at the City having an inspection right. He suggested drawing up some sort of "Procedural Review" for appropriate cleaning to make sure their maintenance is adequate. Councilman Tyner said the City's concern is viable pollution and order and what Councilman Abrams is suggesting is a paper inspection. Councilman Abrams said the concerns he has heard is that the equipment is not being used and or not being kept clean. This seems to be part of the problem and does not necessitate technical expertise. Mr. Groff said he will check into it but does not think it will do any good.

Re: New Business (con't)

1. Councilman Tyner brought before the Council's attention, two bills before the General Assembly. Bill No. 799 concerns the Maryland Public Ethics Law - Solicitation or Acceptance of Gifts. He drew attention to the fact that this Bill eliminates everything to what a gift is and there is a good possibility of this Bill being passed.

Bill No. 444 is concerning Elections -- Universal Registration. This bill would effectively eliminate dual registration in Maryland when a municipality is located in a County; the County's rolls would be considered registration for that municipality. He explained that Rockville would have to take its registration from the County.

2. Councilman Tyner asked if the City could provide bus shelters close to Senior Housing. The Traffic Engineer will get back to the Council on this.

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3. Councilman Tyner said he thought it was the policy of the Mayor and Council to oppose any widening of Rt. 28 to Shady Grove Road. Last Friday in Annapolis, the Department of Transportation and County agreed to fund the project. If the City could get a guarantee that they will do Key West in addition to widening I-270, the Council may wish to change their current policy. Councilman Abrams said he thought that in consideration of some items regarding the MXPB issue, the City did remove its opposition to the widening of Route 28. Mr. Blick said there are no assurances from the County and he still must get that. Councilman Abrams asked that the County be contacted to get that assurance and then get back to the State.

4. Councilman Duncan asked the status on Election Day registration for those citizens registered with the County at every polling place instead of just City Hall.

5. Mayor Hovsepian directed the City Attorney to prepare the necessary documentation for the Charter Amendments that passed by majority vote from the last election. Councilman Duncan said he would like a memo that stated the exact wording of each ballot question and the percentage of votes recorded.

Re: Adjournment

There being no further business to come before the Council in general session, the meeting was adjourned at 11:10 p.m. to convene again on Tuesday, March 5, 1985, at 7:30 p.m. or at the call of the Mayor.